IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

Bail Appl..No. 3501 of 2007(M)

O.R.NO.4/07 OF OTTAPALAM FOREST RANGE OFFICE

: PETITIONER/3RD ACCUSED:

MUHAMMEDALI, AGED 46 YEARS,
S/O. KUNJALAN, KILLARUTHODI HOUSE,
MULAYANKAVU, OTTAPALAM.

BY ADV. SRI.E.R.VENKATESWARAN
SRI.R.SREEHARI

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY THE FOREST RANGE OFFICER,OTTAPALAM,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3501 OF 2007

Dated this the 12th day of June, 2007

O R D E R

Petitioner, who is the 3rd accused in O.R. No.4/2007 of Forest Range Office, Ottapalam for offences punishable under Secs.27 (1)(e)(iii) and (iv) of the Kerala Forest Act, seeks anticipatory bail. The occurrence took place on 12.5.07.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 19-06-2007 and 21-06-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate, who shall consider his application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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